

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MEETING MARCH 4, 2013**

COMMISSIONERS PRESENT: Vice Chair House, Commissioners Krebs,
Overberger, Swaim, Zwick

COMMISSIONERS ABSENT: Chair Brasler, Commissioner Sisich

CALL TO ORDER

Vice Chair House called the meeting to order at 7:00 p.m.

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke.

PLANNING DIRECTOR'S REPORT

Interim Planning Director Diane Henderson announced that demolition has begun on the building at 535 San Anselmo Avenue. Also Senior Planner Phil Boyle has forwarded information regarding training opportunities to the Commissioners; anyone interested in registering for training should contact Boyle.

PUBLIC HEARING ITEMS

CONSENT AGENDA

Minutes of Planning Commission Meeting of February 4, 2013

M/s, Overberger/Zwick to approve the minutes.

AYES: House, Krebs, Overberger, Swaim, Zwick

NOES: None

ABSTAIN: None

ABSENT: Brasler, Sisich

DR-1302, Trenor Askew, 122 Sycamore Avenue, APN: 006-083-16: Design review to construct a new 3,246 square foot two story house with a 503 square foot attached garage and a 587 square foot rear deck at 122 Sycamore Avenue. The project site is located in the R-2 zoning district (Staff person: Boyle). *This project is continued from the February 4, 2013 Planning Commission meeting.*

Commissioner Krebs recused himself as his residence is within 500 feet of the project.

The Commission waived the reading of the staff report.

Commissioner Zwick thanked the applicants for their work on the project.

As there were no further questions or comments from the Commissioners, House opened the discussion to the public.

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There were no comments from the public and House closed the public hearing and the discussion returned to the Commissioners.

M/s, Swaim/Overberger to move the staff report.

AYES: House, Overberger, Swaim, Zwick
NOES: None
ABSTAIN: None
ABSENT: Brasler, Krebs, Sisich

House reminded all of the ten day appeal period.

Commissioner Overberger left the meeting.

REGULAR AGENDA

Krebs returned to the dais.

DR-1303, GP-1301, Sarita Patel, 20 Ancho Vista Avenue, APN 006-163-44: Design review for plans to construct a new 800 square foot lap pool, two shade trellises and a 40 square foot pool equipment shed and a grading permit to cut and fill over 100 cubic yards of material at 20 Ancho Vista Avenue. The project site is located in the R-3 zoning district (Staff person: Boyle).

The Commission waived the reading of the staff report.

In response to a question from Commissioner Krebs, Boyle confirmed that there were no comments received from the public with regard to the project after it was noticed.

As there were no comments from the public, House closed the public hearing.

Krebs noted that some of the soil to be removed from the project site is to be moved to the 535 San Anselmo Avenue project site for use there. He asked Designer Bill O'Callaghan how many truckloads were being proposed for transport.

O'Callaghan replied that about 210 cubic yards of dirt off haul were be considered for transport to 535 San Anselmo Avenue, adding that the contractor plans to use a smaller truck which would provide better maneuverability on the steep hillside and will not block traffic as would a larger truck. There would be about 10 to 20 truckloads moved to the San Anselmo Avenue site.

M/s, Krebs/Swaim, to move the staff report.

AYES: House, Krebs, Swaim, Zwick
NOES: None
ABSTAIN: None
ABSENT: Brasler, Overberger, Sisich

House reminded all of the 10 day appeal period.

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Z-1301 Changes to San Anselmo Municipal Code, Title 10, Chapters 3 and 6 With Regard to Residential Second Units, Townwide: Zoning Amendment for changes to the San Anselmo Municipal Code with regard to requirements for residential second units. Proposed changes include definitions, standards, parking, administration and enforcement, and rent limitations for residential second units townwide. (Staff person: Henderson).

Henderson presented the staff report.

Commissioner Swaim asked if the Fire Department had been consulted on the proposed changes.

Henderson noted that when she presented her report to the Town Council prior to the approval of the housing element, the Fire Department had no comment.

Swaim asked if the Fire Department would be involved in the process of adopting the proposed changes.

Henderson responded that if a property owner wishes to legalize an existing second unit, a permit application would be submitted and routed through the Fire Department as is standard procedure. The same process would be followed for an application for a new second unit.

Swaim noted that the Fire Department is currently experiencing some issues with the productivity of their hydrants and that this may be affecting approval of home additions. He is concerned that the Fire Department may shut down projects after all the planning and building approvals have been granted.

Henderson observed that Public Works Director Sean Condry oversees the Building Department and works closely with the Fire Department. She suggested Swaim discuss his concerns with Condry.

Zwick applauds the proposed changes.

Krebs asked for clarification as to changes proposed for parking.

Henderson responded that the proposal allows properties within one mile of a transit stop to not have to provide the additional parking space normally required for a second unit and allows the Town Engineer to allow parking within setbacks, provided there are not safety concerns.

Krebs is curious as to how much of an impact the one-mile rule will ultimately have on street parking; the proposed changes don't address current restrictions on street parking. How will illegal street parking be affected? He supports second units and wonders what reductions in current limitations are appropriate.

Henderson is amenable to any suggestions from the Commission with regard to the related parking issue. She believes it will become an issue of self-policing; individuals with cars will not likely rent units that do not come with parking. There are a lot of individuals, however, who do not own cars and can choose to live near an urban center so that a car is not required.

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Discussion ensued with regard to the number of second units currently in San Anselmo. Henderson does not believe instituting the proposed changes will bring forth a large number of property owners hoping to legalize their currently-illegal second units. She sees more opportunity for new units to be developed.

Krebs commented on the proposal to eliminate deed restrictions for rent control, observing the possibility that property owners who have adhered to rent restrictions (even though rent control is not enforced) may decide to increase their rents. He is concerned about renters losing their homes because of an inability to afford the rents.

Discussion ensued with regard to the Town's inability to enforce rent controls. Henderson pointed out that by virtue of the small size of a second unit, rents tend to not be inflated. It was concluded that renters who believe they are being unfairly charged would need to file an action or make an official complaint.

M/s, Zwick/Swaim, to support the staff report.

AYES: House, Krebs, Swaim, Zwick
NOES: None
ABSTAIN: None
ABSENT: Brasler, Overberger, Sisich

ITEMS FROM PLANNING COMMISSION

There were no items from the Planning Commission.

ADJOURN TO THE MEETING OF MARCH 18, 2013

House adjourned the meeting at 7:30 p.m.

Respectfully submitted,
Nancy Harris